

REMARKS

Appointment of New Attorneys and Change of Correspondence Address

A Power of Attorney by Assignee / Change of Correspondence Address and a Statement Under 37 CFR 3.73(b) are enclosed herewith. Please update records accordingly for future correspondence with the undersigned attorney.

Specification

The objections to the specification are remedied by amendment. The paragraph beginning at page 12, line 18 has been amended to correctly refer to Fig. 9 instead of Fig. 10. Also, correction has been made on page 17, lines 11-12 to refer to --Figs. 13E and 13F-- rather than "Figs. 14E and 14F". Removal of the objection to the specification is sought.

Claim Objections

The informalities noted in the claims have all been cured by amendment. Withdrawal of the objections is respectfully requested.

Double Patenting

Claims 1, 3, 4, 10, and 14 are rejected under the doctrine of obviousness-type double patenting as being unpatentable over claims in U.S. Patent No. 5,969,808. Claims 2, 5, and 11, are rejected on a similar basis in further view of AAPA. The conflicting patent, as well as the present application, are commonly owned by Reichert, Inc. as evidenced by the enclosed Statement Under 37 CFR 3.73(b) and copy of an Assignment which show ownership of the present application by Reichert, Inc., and the enclosed Notice of Recordation which shows ownership of U.S. Patent No. 5,969,808 by Reichert, Inc. A Terminal Disclaimer relative to U.S. Patent No. 5,969,808 is filed herewith to overcome this rejection. Withdrawal of the rejections is respectfully requested.

Claims 6, 7, 12, and 16 are rejected under the doctrine of obviousness-type double patenting as being unpatentable over claims in U.S. Patent No. 6,034,762. Claims 8, 9, 13, and 17, are rejected on a similar basis in further view of AAPA. The conflicting patent, as well as the present application, are commonly owned by Reichert, Inc. as evidenced by the enclosed Statement Under 37 CFR 3.73(b) and copy of an Assignment which show ownership of the present application by Reichert, Inc., and the enclosed Notice of Recordation which shows ownership of U.S. Patent No. 6,034,762 by Reichert, Inc. A Terminal Disclaimer relative to U.S. Patent No. 5,969,808 is filed herewith to overcome this rejection. Withdrawal of the rejections is respectfully requested.

Entry of the Terminal Disclaimers and removal of the stated rejections is respectfully sought.

Appl. No. 09/676,836
Amendment and Response to Office Action
Reply to Office Action of April 2, 2003

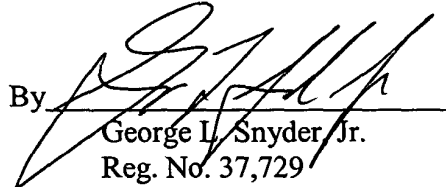
Conclusion

The present application is thought to be in a condition for allowance. Therefore, it is respectfully asked that a timely Notice of Allowance be issued in this application.

Respectfully submitted,

HODGSON RUSS LLP

By



George L. Snyder, Jr.
Reg. No. 37,729

One M&T Plaza, Suite 2000
Buffalo, New York 14203-2391
(716) 856-4000
DATED: July 31, 2003

BFLODOCS 838108v1 (HY_S01!.DOC)